

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JOLYN K. GOLDEN,**

**Plaintiff,**

**vs.**

**SOCIAL SECURITY ADMINISTRATION,  
MICHAEL J. ASTRUE, Commissioner,<sup>1</sup>**

**Defendant.**

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**4:06CV3275**

**ORDER**

This matter is before the court on the plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act (Filing No. 23). The plaintiff filed a brief (Filing No. 24) and exhibits attached to the application. The plaintiff describes counsel's time spent working on the matter and other information in support of the motion. The defendant states it "does not object to payment of attorney fees in the amount of \$3,850.12." **See** Filing No. 25. The amount sought by the plaintiff is \$3,850.12, which represents 23.8 hours of work at a rate of \$161.77 per hour. **See** Filing No. 23. Because the defendant voluntarily moved to reverse and remand, the court concludes that the defendant was not substantially justified in denying the plaintiff's benefits, the plaintiff is a prevailing party, and an award of attorney fees in the amount of \$3,850.12 is reasonable and warranted in accordance with 28 U.S.C. § 2412. Upon consideration,

**IT IS ORDERED:**

1. The plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act (Filing No. 23) is granted.
2. The plaintiff is awarded attorney fees in the amount of \$3,850.12, which may be made payable to the plaintiff's counsel.

DATED this 6th day of December, 2007.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge

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<sup>1</sup>Michael J. Astrue has been appointed to serve as Commissioner of Social Security, and is substituted as the defendant pursuant to Fed. R. Civ. P. 25(d).